



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

January 25, 2006

RADER, FISHMAN & GRAUER PLLC
39533 WOODWARD AVENUE
SUITE 140
BLOOMFIELD HILLS, MI 48304-0610
US

Dear Sir/Madam,

Your refund request for 10649068 in the amount of \$100.00 has been denied .

Small entity status fee not refundable. The time has expired for the refund of this fee. A refund based on establishment of small entity status may only be obtained if a verified statement under 37 CFR 1.27 and a request for the refund of excess amount are filed within three months of timely payment of the full fee (37 CFR 1.28).

All money charged was needed to perfect this application and small entity was charged for these claims.

Sincerely,

ELEANOR KURTZ
Technical Center Others
703 308-9010 x177

RECEIVED
CENTRAL FAX CENTER

JAN 10 2006

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (571) 273-8300, on the date shown below.

Dated: 1/10/06

Signature: Kathryn L. Nash

(Kathryn L. Nash)

US PATENT & TRADEMARK
OFFICE

PATENT

Practitioner's Docket No. 65937-0037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

[x] In re application of: Joseph L. Mark et al. Confirmation No.: 4645
Application No.: 10/649,068 Group No.: 3737
Filed: August 27, 2003 Examiner: R. S. Smith
For: INTRODUCTION SYSTEM FOR MINIMALLY INVASIVE SURGICAL INSTRUMENTS
[] Patent*: Issued:

*NOTE: Insert name(s) of inventor(s) and title also for patent. Where request is with respect to a maintenance fee payment also insert application number and filing date and add Box M. Fee to address.

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR REFUND
(IMPROPER CHARGE OF DEPOSIT ACCOUNT)

I. REFUND REQUEST

This is a request for a refund, with respect to the charge to Deposit Account 18-0013, shown on the statement dated 12/20/2005, for the above-identified

- [x] application.
[] patent.

(check the following, if desired, and supply copy of statement)

- [x] A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

II. FEES CHARGED FOR WHICH REFUND REQUESTED

AMOUNT OF
REFUND
REQUESTED

- | | | |
|-----|---|----------|
| [x] | Filing fee (additional claims - small entity) | \$100.00 |
| [] | Surcharge for filing the basic filing fee on a date later than the filing date of the application (37 C.F.R. section 1.16(e)) | |

(Request for Refund (Improper Charge of Deposit Account)--page 1 of 2)

and/or

- ☐ Surcharge for filing the oath or declaration on a date later than the filing date of the application (37 C.F.R. section 1.16(e)) _____
- ☐ Extension of term (2)
- ☐ first month _____
- ☐ second month _____
- ☐ third month _____
- ☐ fourth month _____
- ☐ fifth month _____
- ☐ Excess claims _____
- \$ ☐ Issue fee _____
- ☐ Petition fee _____
- ☐ Patent maintenance fee
- ☐ first maintenance fee _____
- ☐ second maintenance fee _____
- ☐ third maintenance fee _____
- ☐ Patent maintenance fee surcharge _____
- ☐ Other _____

TOTAL REFUND REQUESTED

\$100.00

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Deposit Account was charged large entity amounts for additional claims in a transmittal of a preliminary amendment. The additional claims fee was authorized to be charged to the deposit account at the time of filing of a preliminary amendment to the United States Patent and Trademark Office on November 16, 2005. The Applicant is a Small Entity. We are filing this Request within two months of filing the preliminary amendment to the application and are requesting a refund because the Applicant is a Small Entity.

IV. MANNER OF REFUND

Please make refund by

- ☒ crediting Account No. 18-0013.
- ☐ refunding payment.



SIGNATURE OF PRACTITIONER

Reg. No. 41,212

Tel. No. (248) 594-0600

Customer No. 010291

Kristin L. Murphy
(type or print name of practitioner)
 Rader, Fishman & Grauer PLLC
 39533 Woodward Ave., Suite 140
 Bloomfield Hills, MI 48304

(Request for Refund (Improper Charge of Deposit Account)--page 2 of 2)



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

MONTHLY STATEMENT
OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and
return top portion with your check. Make check
payable to Director of Patents & Trademarks.

RADER FISHMAN & GRAUER
ACCOUNTING DEPT.
39533 WOODWARD AVENUE
SUITE 140
BLOOMFIELD HILLS MI 48304

FINA

Account No.	180013
Date	11-30-05
Page	16

PLEASE SEND REMITTANCES TO:
U. S. Patent and Trademark Office
P.O. Box 70541
Chicago, IL 60673

DATE POSTED	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
11 16 05	155	10658364	AKY-0009	2801	395.00	120974.51
11 16 05	156	10658364	AKY-0009	2201	100.00	120874.51
11 16 05	161	11272273	66535-0001	2011	150.00	120724.51
11 16 05	162	11272273	66535-0001	2111	250.00	120474.51
11 16 05	163	11272273	66535-0001	2311	100.00	120374.51
11 16 05	164	11272273	66535-0001	2202	125.00	120249.51
11 16 05	183	10433663	SON-2522	1801	790.00	119459.51
11 16 05	184	10433663	SON-2522	1201	400.00	119059.51
11 16 05	187	10467411	SAE-014	1251	120.00	118939.51
11 16 05	233	10546745	60680-2067	8021	40.00	118899.51
11 16 05	304	10689047	SON-2829	1251	120.00	118779.51
11 16 05	311	10861780	CAR-0002/CON	2252	225.00	118554.51
11 16 05	312	10861780	CAR-0002/CON	2814	65.00	118489.51
11 16 05	332	10556073	HOK-0291	1631	300.00	118189.51
11 16 05	333	10556073	HOK-0291	1633	200.00	117989.51
11 16 05	334	10556073	HOK-0291	1642	400.00	117589.51
11 16 05	335	10556073	HOK-0291	8021	40.00	117549.51
11 16 05	375	29242472	66349-0018	1012	200.00	117349.51
11 16 05	376	29242472	66349-0018	1112	100.00	117249.51
11 16 05	377	29242472	66349-0018	1312	130.00	117119.51
11 16 05	589	10555925	OKA-0229	1631	300.00	116819.51
11 16 05	590	10555925	OKA-0229	1642	400.00	116419.51
11 16 05	591	10555925	OKA-0229	1633	200.00	116219.51
11 16 05	592	10555925	OKA-0229	1615	650.00	115569.51
11 16 05	593	10555925	OKA-0229	8021	40.00	115529.51
11 16 05	1079	78330311	65996-0367	7004	150.00	115379.51
11 16 05	1419	78607849	66121-0002	7001	325.00	115054.51
11 17 05	2	10129349	AP9735	1201	168.00	114886.51
11 17 05	19	11248234	ACK-0251	1051	130.00	114756.51
11 17 05	22	10649068	65937-0037	1202	200.00	114556.51
11 17 05	32	10860136	ATA-0156	1251	120.00	114436.51
11 17 05	33	10860136	AIA-0156	1201	200.00	114236.51
11 17 05	78	10250579	SON-2532/SHIN-YU	1252	450.00	113786.51
11 17 05	85	29216871	NAK-0236	8001	12.00	113774.51
11 17 05	103	11248234	ACK-0251	8021	40.00	113734.51
11 17 05	104	11190550	65684-0270	2051	65.00	113669.51
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED			OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE

RECEIVED
CENTRAL FAX CENTER

JAN 10 2006

FAX TRANSMISSION

DATE: January 10, 2006

PTO IDENTIFIER: Application Number 10/649,068-Conf. #4645
Patent Number

Inventor: Joseph L. Mark et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: RADER, FISHMAN & GRAUER PLLC

Kristin L. Murphy

PHONE: (248) 594-0647

Attorney Dkt #: 65937-0037

PAGES (Including Cover Sheet): 5

CONTENTS: Request for Refund (2 pages)
Copy of Monthly Statement of Deposit Account (1 page)
Certificate of Transmission (1 page)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (248) 594-0620 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

RADER, FISHMAN & GRAUER PLLC
39533 Woodward Avenue, Suite 140, Bloomfield Hills, Michigan 48304
Telephone: (248) 594-0600 Facsimile: (248) 594-0610

PTO/SB/97 (08-04)

Approved for use through 07/31/2008. OMB 0851-0031

U. S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

Application No. (if known): 10/649,068

Attorney Docket No.: 65937-0037

Certificate of Transmision under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on January 10, 2006
Date


Signature

Kathryn L. Nash

Typed or printed name of person signing Certificate

Registration Number, if applicable

(248) 594-0612
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Request for Refund (2 pages)

Copy of Monthly Statement of Deposit Account (1 page)